

OCT 25 2005

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

OSCAR MUNOZ SIGALA; RUBINA
OROPEZA DE MUNOZ,

Petitioners,

V.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 04-70067

Agency Nos. A76-359-794
A76-359-796

MEMORANDUM^{*}

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted October 11, 2005^{**}

Before: HALL, T.G. NELSON, and TALLMAN, Circuit Judges.

Oscar Munoz Sigala and Rubina Oropeza De Munoz, married natives and
citizens of Mexico, petition for review of the Board of Immigration Appeals'

^{*} This disposition is not appropriate for publication and may not be
cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

^{**} The panel unanimously finds this case suitable for decision without
oral argument. *See* Fed. R. App. P. 34(a)(2).

(“BIA”) summary affirmance of an immigration judge’s (“IJ”) denial of their applications for cancellation of removal. We dismiss in part and deny in part the petition for review.

We lack jurisdiction to consider the Petitioners’ challenge to the IJ’s extreme hardship determination because it is a discretionary, nonreviewable determination. *See Romero-Torres v. Ashcroft*, 327 F.3d 887, 890 (9th Cir. 2003) (citing 8 U.S.C. § 1252(a)(2)(B)).

The Petitioners’ contention that the BIA’s streamlining procedures violate due process is foreclosed by *Falcon Carriche v. Ashcroft*, 350 F.3d 845, 850-51 (9th Cir. 2003).

PETITION FOR REVIEW DISMISSED in part and DENIED in part.